

code, if such statute, ordinance, regulation or order is not contained in the building code itself.

However, the developer or other interested party need not submit any document already on file in the Field Office.

(2) *Jurisdictions with previously accepted or partially accepted building codes.* The following submission requirements apply to developers and other interested parties in any jurisdiction with a building code which has been accepted or partially accepted by the Secretary:

(i) At the time of application for mortgage insurance or other benefits, the developer or other interested party shall submit to the HUD Field Office serving the jurisdiction in which the property is to be constructed.

(A) A certificate stating that, since its acceptance by the Secretary, the jurisdiction's building code has not been changed; or

(B)(1) A copy of all changes to the jurisdiction's building code, including all applicable service codes and appendices, which have been made since the date of the code's acceptance by the Secretary. However, the developer or other interested party need not submit any part already in the possession of the Field Office; and

(2) A copy of the statute, ordinance regulation, or order making such changes in the code.

(3) *Notification of decision.* The Secretary shall review the material submitted under paragraphs (d) (1)(ii) and (2)(i). Following that review, the Secretary shall issue a written notice (except in the case of a previously accepted code which hasn't been changed) to the submitting party stating whether the State or local building code has been accepted, partially accepted, or whether the Secretary's previous acceptance or partial acceptance has been continued; the basis for the Secretary's decision; and a notification of the submitting party's right to present its views concerning the denial of acceptance if the code is neither accepted nor partially accepted. The Secretary may, in his discretion, permit either an oral or written presentation of views.

(i) If a developer or other interested party is notified that a State or local building code has not been accepted,

then the multifamily or care-type properties eligible for HUD benefits in that jurisdiction shall be constructed in accordance with the appropriate codes indicated in §200.925c(c). In such instances, the developer or other interested party shall notify the HUD Field Office of the code or codes with which it chooses to comply, in accordance with §200.925a(d)(1)(i)(A).

(ii) If a developer or other interested party is notified that a State or local building code has been partially accepted, then the multifamily or care-type properties eligible for HUD benefits in that jurisdiction shall be constructed in accordance with the applicable State or local building code, plus those additional requirements identified in the written notice issued by the Secretary under §200.925a(d)(3). The written notice shall identify, in accordance with appendix J of the Handbook identified in §200.929(b)(2), those portions of the codes listed at §200.925c(a) with which the property must comply.

(iii) Each Regional Office will maintain a current list of jurisdictions with accepted building codes and a current list of jurisdictions with partially accepted building codes. The lists will state the most recent date of each code's acceptance or partial acceptance and will be available to any interested party upon request. In addition, the list of jurisdictions whose codes have been partially accepted shall identify those portions of the codes listed at §200.925c(a) with which the property must comply.

(Approved by the Office of Management and Budget under control number 2502-0321)

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#### **§ 200.925b Residential and institutional building code comparison items.**

HUD will review each local code submitted under this chapter to determine whether it regulates all of the following areas and subareas:

- (a) *Fire safety.* (1) Construction types permitted;
- (2) Allowable height and area;
- (3) Fire separations;
- (4) Fire resistance requirements;

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- (5) Means of egress (number and distance);
- (6) Individual unit smoke detectors;
- (7) Building alarm systems;
- (8) Highrise criteria;
- (b) *Light and ventilation*. (1) Habitable rooms;
- (2) Bath and toilet rooms.
- (c) *Structural loads and seismic design*.
- (1) Design live loads;
- (2) Design dead loads;
- (3) Snow loads;
- (4) Wind loads.
- (5) Earthquake loads (in localities identified by ASCE 7-88 (formerly ANSI A58.1-82) as being in seismic zones 1, 2, 3, or 4, and Guam).
- (6) Special loads, i.e., soil pressure, railings, interior walls etc.
- (d) *Foundation systems*. (1) Soil tests;
- (2) Foundation depths;
- (3) Footings;
- (4) Foundation materials criteria;
- (5) Piles, i.e., materials, allowable stresses, design;
- (6) Excavation;
- (e) *Materials standards*.
- (f) *Construction components*. (1) Steel;
- (2) Masonry;
- (3) Concrete;
- (4) Gypsum;
- (5) Lumber;
- (6) Roof construction and covering;
- (7) Chimneys and fireplaces.
- (g) *Glass*. (1) Thickness/area requirements;
- (2) Safety glazing.
- (h) *Mechanical*. (1) Heating, cooling and ventilation systems;
- (2) Boilers and pressure vessels;
- (3) Gas, liquid and solid fuel piping and equipment;
- (4) Chimneys and vents;
- (5) Ventilation (air changes).
- (i) *Plumbing*. (1) Materials standards;
- (2) Sizing and installing drainage systems;
- (3) Vents and venting;
- (4) Traps;
- (5) Cleanouts;
- (6) Plumbing fixtures;
- (7) Water supply and distribution;
- (8) Storm drain systems.
- (j) *Electrical*. (1) Wiring design and protection;
- (2) Wiring methods and materials;
- (3) Equipment for general use;
- (4) Special equipment;
- (5) Special conditions;

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- (6) Communication systems.
- (k) *Elevators*. (1) Reference ASME/ANSI Standard A 17.1-1987; and the ASME/ANSI A17.1b-1989 Addenda.
- (2) Acceptance tests and periodic tests.

[49 FR 18696, May 1, 1984, as amended at 51 FR 28699, Aug. 11, 1986; 58 FR 60248, Nov. 15, 1993; 59 FR 36695, July 19, 1994]

### § 200.925c Model codes.

(a) *Incorporation by reference*. The following publications are incorporated by reference under 5 U.S.C. 552(a) and 1 CFR part 51. The incorporation by reference of these publications has been approved by the Director of the Federal Register. The locations where copies of these publications are available are set forth below.

(1) *Model Building Codes*—(i) *The BOCA National Building Code, 1993 Edition, The BOCA National Plumbing Code, 1993 Edition, and the BOCA National Mechanical Code, 1993 Edition*, excluding Chapter I, Administration, for the Building, Plumbing and Mechanical Codes and the references to fire retardant treated wood and a distance of 4 feet (1219 mm) from the wall in exception number 1 of paragraph 705.6 and 707.5.2 number 2 (Chapter 7) of the Building Code, but including the Appendices of the Code. Available from Building Officials and Code Administrators International, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478.

(ii) *Standard Building Code, 1991 Edition, including 1992/1993 revisions. Standard Plumbing Code, 1991 Edition, Standard Mechanical Code, 1991 Edition, including 1992 revisions, and Standard Gas Code, 1991 Edition*, including the 1992 revisions, but excluding Chapter I—Administration from each standard code and the phrase “or fire retardant treated wood” in reference note (a) of table 600 (Chapter 6) of the Standard Building Code, but including Appendices A, C, E, J, K, M, and R. Available from the Southern Building Code Congress International, Inc., 900 Montclair Road, Birmingham, Alabama 35213.

(iii) *Uniform Building Code, 1991 Edition, including the 1993 Accumulative Supplement*, but excluding Part I—Administrative, and the reference to fire retardant treated plywood in section